

2014 CONFLICT OF INTEREST CODE
BIENNIAL REVIEW REPLY FORM

COUNTY OF SAN DIEGO

2014 SEP 22 AM 11 06

Contact Person: Holly Palmer Telephone Number: 858.523.6198

Name of Agency: Del Mar Union School District

Mailing Address: 11232 El Camino Real, S.D. 92130

CLERK OF THE BOARD
OF SUPERVISORS

This agency has reviewed its conflict of interest code and has determined that:

☒ **Amendments are necessary:** (Attach Amended Code)
(Check all that applies)

☒ Include new positions (including consultants) which must be designated

☒ Revise the titles of existing positions

☒ Delete titles of positions that have been abolished

☐ Delete positions that manage public investments

☐ Revise disclosure categories

☐ Other _____

☐ **No amendments are necessary.** Our agency's code accurately designates all positions which make or participate in the making of governmental decisions; the disclosure assigned to those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foresee-ably be affected materially by the decision made by those designated positions; and the code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer: *H. McClurg* Date: 9/18/2014

You must complete this report regardless of how recently your code was approved or amended. **Please return this report no later than October 1, 2014 to:**

**Clerk of the Board of Supervisors
(Conflict of Interest Code)
1600 Pacific Highway, Room 402
San Diego, CA 92101**

Approved and/or authorized by the
Board of Supervisors of the County of San Diego.
Meeting Date: 12/2/14 Minute Order No. 23
By: *OMM* Date: 12/12/14
Deputy Clerk of the Board Supervisors

INDIAN WELLS
(760) 568-2611

IRVINE
(949) 263-2600

LOS ANGELES
(213) 617-8100

ONTARIO
(909) 989-8584

DIANNA MARIE VALDEZ
(951) 826-8252
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BEST BEST & KRIEGER
ATTORNEYS AT LAW

3390 UNIVERSITY AVENUE, 5TH FLOOR, P.O. Box 1028, RIVERSIDE, CA 92502
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SACRAMENTO
(916) 325-4000

SAN DIEGO
(619) 525-1300

WALNUT CREEK
(925) 977-3300

WASHINGTON, DC
(202) 785-0600

September 16, 2014

Teresa Zurita, Deputy
Clerk of the Board of Supervisors
County of San Diego
1600 Pacific Highway, Room 402
San Diego, CA 92101-2471

COUNTY OF SAN DIEGO
2014 SEP 18 AM 10 41
CLERK OF THE BOARD
OF SUPERVISORS

Re: Del Mar Union School District – Amendment of the Conflict
of Interest Code and Request for Notice

Dear Teresa:

Enclosed for review and approval by the Board of Supervisors is the amended Conflict of Interest Code of the Del Mar Union School District. The Code was amended by the Board of Directors on August 27, 2014, by Resolution No. 2014-12, a copy of which is also enclosed. As you can see by the legislative version of the Code, the amendment was done to include new positions that must be designated, revise titles of existing positions and include regulatory language.

Please notify me when this matter will be submitted to the Board for approval. I would also appreciate a copy of the Resolution or Minute Order approving the District's amended Code.



BEST BEST & KRIEGER LLP
ATTORNEYS AT LAW

Teresa Zurita, Deputy
Clerk of the Board of Supervisors
County of San Diego
September 16, 2014
Page 2

Please feel free to call or email me if you or County Counsel have any questions regarding the enclosed or this matter.

Sincerely, (

A handwritten signature in black ink, appearing to read 'Dianna Marie Valdez'.

Dianna Marie Valdez
Conflicts of Interests & Ethics Coordinator
for BEST BEST & KRIEGER LLP
General Counsel
Del Mar Union School District

Encls:
Amended Conflict of Interest Code
Legislative Version of the Amended Code

RESOLUTION NO. 2014-12

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE
DEL MAR UNION SCHOOL DISTRICT AMENDING THE
CONFLICT OF INTEREST CODE PURSUANT TO THE
POLITICAL REFORM ACT OF 1974**

WHEREAS, the State of California enacted the Political Reform Act of 1974, Government Code section 81000 et seq. (the "Act"), which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of the Del Mar Union School District (the "District") and requires all public agencies to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, the Board of Trustees adopted a Conflict of Interest Code (the "Code") which was amended on September 22, 2010, in compliance with the Act; and

WHEREAS, subsequent changed circumstances within the District have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update the District's Code; and

WHEREAS, the potential penalties for violation of the provisions of the Act are substantial and may include criminal and civil liability, as well as equitable relief which could result in the District being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

WHEREAS, notice of the time and place of a public meeting on, and of consideration by the Board of Trustees of, the proposed amended Code was provided each affected designated employee and publicly posted for review at the offices of the District; and

WHEREAS, a public meeting was held upon the proposed amended Code at a regular meeting of the Board of Trustees on August 27, 2014, at which all present were given an opportunity to be heard on the proposed amended Code.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Del Mar Union School District that the Board of Trustees does hereby adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the Executive Assistant to the Superintendent and available to the public for inspection and copying during regular business hours;

BE IT FURTHER RESOLVED that the said amended Code shall be submitted to the Board of Supervisors of the County of San Diego for approval and said Code shall become effective immediately after the Board of Supervisors approves the proposed amended Code as submitted.

APPROVED AND ADOPTED this 27th day of August, 2014.



President, Board of Trustees
Del Mar Union School District

ATTEST:



Secretary, Board of Trustees
Del Mar Union School District

CONFLICT OF INTEREST CODE FOR THE
DEL MAR UNION SCHOOL DISTRICT
(Amended August 27, 2014)

The Political Reform Act (Gov. Code § 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. § 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing Section 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This incorporation page, Regulation 18730, and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **Del Mar Union School District (the "District")**.

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **Executive Assistant to the Superintendent** as the District's Filing Officer. The **Executive Assistant** shall make and retain a copy of all statements filed by Members of the Board of Trustees and the District Superintendent, and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of San Diego. The **Executive Assistant** shall retain the originals of the statements filed by all other officials and designated positions and make all statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

APPENDIX

CONFLICT OF INTEREST CODE OF THE DEL MAR UNION SCHOOL DISTRICT (Amended August 27, 2014)

PART "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

District Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18701(b), are NOT subject to the District's Code, but must file disclosure statements under Government Code Section 87200 et seq. [Regs. § 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments¹:

Members of the Board of Trustees

District Superintendent

Financial Consultants

¹ Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Assistant Superintendent, Business Services	1, 2
Assistant Superintendent, Human Resources	5
Assistant Superintendent, Instructional Services	5
Business Services Coordinator	4
Coordinator/Assistant Director, Early Child Care Services	5
Coordinator of Curriculum and Instruction	5
Coordinator of State and Federal Projects	5
Director of Early Childhood/After School Programs	5
Director of Maintenance, Operations and Facilities	5
Director of Pupil Services	5
Director of Technology	5
District Program Specialist	5
Facilities Construction Coordinator	2, 3, 5
General Counsel	1, 2
Principal (ALL)	5

Consultants and New Positions²

² Individuals serving as a Consultant as defined in Regulation 18701, or in a new position created since this Code was last approved that makes or participates in making decisions must file under the broadest disclosure set forth in this Code subject to the following limitation:

The District Superintendent may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734.). The District Superintendent's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov. Code Sec. 81008.)

PART "B"

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests that the designated position must disclose for each disclosure category to which he or she is assigned.³ Such economic interests are reportable if they are either located in or doing business in the jurisdiction, are planning to do business in the jurisdiction, or have done business during the previous two years in the jurisdiction of the District.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, do business in, or own real property within the jurisdiction of the District.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the District.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the District.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position's department, unit or division.

³ This Conflict of Interest Code does not require the reporting of gifts from outside this agency's jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Reg. 18730.1)

CONFLICT OF INTEREST CODE FOR THE
DEL MAR UNION SCHOOL DISTRICT
(Amended August 27, 2014)

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District Superintendent

Financial Consultants

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DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

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Assistant Superintendent, Business Services	1, 2
Assistant Superintendent, Human Resources	5
Assistant Superintendent, Instructional Services	5
Business Services Coordinator	4
Coordinator/Assistant Director, Early Child Care Services	5
Coordinator of Curriculum and Instruction	5
Coordinator of State and Federal Projects	5
Director of Early Childhood/After School Programs	5
Director of Maintenance, Operations and Facilities	5
Director of Pupil Services	5
Director of Technology	5
District Program Specialist	5
Facilities Construction Coordinator	2, 3, 5
General Counsel	1, 2
Principal (ALL)	5

Consultants and New Positions²

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CONFLICT OF INTEREST CODE FOR THE
DEL MAR UNION SCHOOL DISTRICT

(Amended September 22, 2010August 27, 2014)[±]

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[±] ~~Incorporate updated language from Fair Political Practices for incorporation page and Appendix to clarify requirements.~~

APPENDIX

CONFLICT OF INTEREST CODE

OF THE

DEL MAR UNION SCHOOL DISTRICT

(Amended ~~September 22, 2010~~ August 27, 2014)

EXHIBIT PART "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

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<u>Coordinator of Curriculum and Instruction</u>	<u>5</u>
Coordinator of State and Federal Projects	5
Director of <u>Early Childhood</u> /After School Programs/ Child Care	5
Director of Maintenance, and Operations <u>and Facilities</u>	5
Director of Pupil Services	5
Director of Technology	5
<u>District Program Specialist</u>	<u>5</u>
Facilities Construction Coordinator	2, 3, 5
General Counsel	1, 2
Principal (ALL)	5

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